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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/688,185	10/20/2003	Cheng-Fang Hsiao	1496-941	6865
54000	7590	02/19/2008		
PCE INDUSTRY, INC. ATT. CHENG-JU CHIANG JEFFREY T. KNAPP 458 E. LAMBERT ROAD FULLERTON, CA 92835			EXAMINER NGUYEN, HONG VINH T	
			ART UNIT 2834	PAPER NUMBER
			MAIL DATE 02/19/2008	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/688,185	<b>Applicant(s)</b> HSIAO, CHENG-FANG	
	<b>Examiner</b> Hong-Vinh Nguyen	<b>Art Unit</b> 2834	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 26 November 2007.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 3 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 3 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 November 2007 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Response to Amendment*

1. Applicant's amendment to the specification and drawings in the reply filed on 11/26/2007 is acknowledged.

### *Response to Arguments*

2. Applicant's arguments filed on 11/26/2007 have been fully considered but they are not persuasive. Applicant's argument regarding the limitation of a stator having **coil plates forming annular slots with a coil contact extending outwardly of said annular slots** is not persuasive because the claim states that the coil contact extends outwardly of the slot, but the claim does not specifically state that the contact is formed on the stator yoke.

### *Claim Rejections - 35 USC § 103*

3. Rejection of claim 3 is maintained and made final as below.
4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hong et al. (US Pub. 2002/0125842 A1 hereinafter "Hong"), in view of Mayumi (US Pub. 2002/0140303 A1).

Hong discloses a vibration motor (100) comprising a housing (191);

a stator (110) mounted in said housing, said stator having a rotor mounting slot formed centrally therein; said stator having a series of pole teeth (115,116) formed thereon and facing toward said rotor mounting slot, said series of pole teeth arranged at an interval, said inner wall having a plurality of coil plates;

a rotor (120) mounted in said rotor mounting slot, said rotor having a magnetic cylindrical body (129) with an outer peripheral wall facing said inner wall of said stator, said rotor having a rotary disk support (124) disposed entirely in a hollow interior of said magnetic cylindrical body, said peripheral wall of said magnetic cylindrical body having a series of rotor pole pairs thereon, each of the rotor pole pairs having a north magnetic pole and a south magnetic pole, and

a rotary shaft (122) mounted in a center of said rotary disk support, said rotary disk support having a plurality of through holes extending therethrough (127C Col. 7 line 29-30), said plurality of through holes being distributed unevenly so as to cause said rotor to have an unbalanced vibratory rotation (see Hong Fig. 1).

Hong discloses the claimed invention except for the stator having an inner wall entirely surrounding the rotor mounting slot and having a plurality of coil plates forming annular slots with a coil contact extending outwardly of said annular slots, said pole teeth being in electromagnetic contact with said coil contact. However, Mayumi discloses a motor stator having an inner wall (22a-23b) entirely surrounding the rotor mounting slot and having a plurality of coil plates (20a-21b) forming annular slots with a coil contact (30a-b) extending outwardly of said annular slots, said pole teeth being in electromagnetic contact with said coil contact. It would be obvious for a person having

ordinary skill in the art at the time of the invention to combine the teachings of Hong and Mayumi to enable the spacing between the rotor and stator to be small and uniform, leading to increase in efficiency of the motor. It would also be easier to provide a contact to the terminals if the coil contact is projected outward away from the yoke.

### ***Conclusion***

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hong-Vinh Nguyen whose telephone number is (571) 270-1743. The examiner can normally be reached on Monday through Thursday 7:30 am to 4:30 pm (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Darren Schuberg can be reached on (571) 272-2044. The fax phone

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number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/H. V.N./  
02/12/2008  
Examiner, Art Unit 2834

/Darren Schuberg/  
Supervisory Patent Examiner, Art Unit 2834